

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

WAYNE RICKY ELSON RUDDER, }
Plaintiffs, } NO. CV-10-3104-LRS
v. } **ORDER DENYING
DEFECTIVE MIKE AKENS, et al., } MOTION FOR RECONSIDERATION**
Defendants. }

Plaintiff has filed a Motion For Reconsideration (Ct. Rec. 12) asking the court to reconsider its order denying him *in forma pauperis* status (Ct. Rec. 11).

This court had all the information it needed, specifically the pre-filing review order from the Western District of Washington (Ct. Rec. 8 in C07-5679 FDB), to properly revoke Plaintiff's *in forma pauperis* status. That order was based on a "Report and Recommendation" which painstakingly details Plaintiff's lengthy history of abusive litigation. (Ct. Rec. 7 in C07-5679 FDB). In the Western District of Washington, Plaintiff was afforded all the process that was due to him before he was declared a vexatious litigant. (See "Report and Recommendation," Ct. Rec. 7 in C07-5679 FDB at pp. 7-8). Plaintiff appealed the pre-filing review order to the Ninth Circuit Court of Appeals and his appeal was ultimately dismissed by the circuit which found his appeal "so insubstantial as to not warrant further review." (Ct. Rec. 10 and 15 in C07-5679 FDB).

Plaintiff is not entitled to a "fresh start" in the Eastern District of

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1 Washington which would ignore his history in the Western District of Washington
2 and the Ninth Circuit. Plaintiff's Motion For Reconsideration (Ct. Rec. 12) is
3 **DENIED**.

4 Because Plaintiff has failed to pay the filing fee as required, the captioned
5 action is **DISMISSED with prejudice**. The District Executive shall enter
6 judgment accordingly. This court hereby certifies that any appeal taken from this
7 order and the prior "Order Revoking IFP Status" (Ct. Rec. 11) is not taken in good
8 faith. 28 U.S.C. Section 1915(a)(3). This file shall be closed. Other than the
9 filing of a Notice of Appeal to the Ninth Circuit, this court will not permit the
10 filing of any additional motions for reconsideration in this now closed file. All
11 pending motions (Ct. Rec. 3 and 7) are **DENIED** as moot.

12 **IT IS SO ORDERED.** The District Court Executive shall forward a copy
13 of the judgment and this order to the Plaintiff and to counsel of record.

14 **DATED** this 22nd day of December, 2010.
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16 *s/Lonny R. Sukko*
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18 LONNY R. SUKO
Chief U. S. District Court Judge
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